

Subtitle E—Revisions to Criminal Law

SEC. 241. DEFINITIONS RELATING TO FEDERAL HEALTH CARE OFFENSE.

(a) IN GENERAL.—Chapter 1 of title 18, United States Code, is amended by adding at the end the following:

“§ 24. Definitions relating to Federal health care offense

“(a) As used in this title, the term ‘Federal health care offense’ means a violation of, or a criminal conspiracy to violate

“(1) section 669, 1035, 1347, or 1518 of this title;
“(2) section 287, 371, 664, 666, 1001, 1027, 1341, 1343,

or 1954 of this title, if the violation or conspiracy relates to a health care benefit program.”

“(b) As used in this title, the term ‘Health care benefit program’ means any public or private plan or contract affecting commerce, under which any medical benefit, item, or service is provided to any individual, and includes any individual or entity who is providing a medical benefit, item, or service for which payment may be made under the plan or contract.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 23 the following new item:

“24. Definitions relating to Federal health care offense.”

SEC. 242. HEALTH CARE FRAUD.

(a) OFFENSE.—

(1) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

“§ 1347. Health care fraud

“Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice—

“(1) to defraud any health care benefit program; or
“(2) to obtain, by means of false or fraudulent representations, or promises, any of the money or property owned by, or under the custody or control of, any health care benefit program.

in connection with the delivery of or payment for health care benefits, items, or services, shall be fined under this title or imprisoned not more than 10 years, or both. If the violation results in serious bodily injury (as defined in section 1365 of this title),

such person
shall be fined under this title or imprisoned not
more than 20
years, or both: and if the violation results in death,
such person
shall be fined under this title, or imprisoned for any
term of years
or for life, or both."/.

(2) CLERICAL AMENDMENT.—The table of sections
at the
beginning of chapter 63 of title 18, United States
Code, is
amended by adding at the end the following:
"1347. Health care fraud."

42 use i395i (b) CRIMINAL FINES DEPOSITED IN FEDERAL
HOSPITAL INSUR-
ANCE TRUST FUND.—The Secretary of the Treasury
note. shall deposit
into the Federal Hospital Insurance Trust Fund pursuant to
section
1817(k)(2)(C) of the Social Security Act (42 U.S.C. 1395i) an amount